

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOMINIQUE MERRIMAN,

Plaintiff,

v.

GENA JONES, et al.,

Defendants.


No. 2:22-cv-0736 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has requested that this action be dismissed and that he not be charged a filing fee. ECF No. 4. The complaint has not yet been screened, nor has plaintiff's motion to proceed in forma pauperis been considered. Since defendants have neither answered the complaint nor filed a motion for summary judgment, plaintiff does not require leave of the court to dismiss this action and this case is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a). No filing fee shall be assessed.

IT IS SO ORDERED.

DATED: May 11, 2022


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE